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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,776	01/24/2002	Philippe Vandermersch	02P00754US	4586

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Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

YANG, LINA

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. **K**

10/056,776

Applicant(s)

VANDERMERSCH, PHILIPPE

Examiner

Lina Yang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-19 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 4 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/24/02, 3/17/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 5, 8, 9, 16, 17, 21 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Neil et al. (U.S. Patent No. 5,963,547).

Regarding claim 17, O'Neil teaches a conferencing system (fig. 1, fig. 2 and fig. 3) suitable for providing a conferencing session to a plurality of participants, comprising:

a multipoint conferencing unit (MCU 14 in figs. 1-3) communicatively coupled over a packetized connection (col. 2 lines 58-63) to a plurality of input/output devices (endpoint terminals 12a-12e) as utilized by a number of participants so as to enable the participants of a conferencing session to interact, wherein the multipoint conferencing unit is configured to

receive inputs from the input/output devices in a conferencing session (figs. 1-3; col. 3 lines 19-25 and col. 4 lines 1-3); and

combine received inputs into an output packet including a first sub-packet (MCV in fig. 2 and MCA in fig. 3) and a second sub-packet (UCVs in fig. 2 and UCAs in fig. 3),

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wherein the first sub-packet has a first payload and the second sub-packet has a second payload, the first payload and the second payload including inputs combined from at least a portion of the received inputs from the number of participants, wherein the first payload includes at least one received input that is not included in the second sub-packet (for example: the at least one received input is from the terminal itself) (fig. 2 and col. 4 lines 47-63; fig. 3 and col. 4 lines 64- 67 and col. 5 lines 1-17).

Regarding claim 1, it is the method claim corresponding to the apparatus claim of 17. Therefore, claim 1, is analyzed and rejected as previously discussed with respect to claim 17.

Regarding claim 9, O'Neil teaches a method for providing a conferencing session, comprising:

receiving inputs from a number of participants in a conferencing session (figs. 1-3; col. 3 lines 19-25 and col. 4 lines 1-3); and

combining received inputs into an output packet including at least two sub-packets (MCV and UCVs in fig. 2 and MCA and UCAs in fig. 3), the sub-packets having payloads including mixed received inputs from the number of participants, wherein the payloads of at least two of the sub-packets contain different mixed received inputs (MCV and UCVs or MCA and UCAs are containing different mixings) (fig. 2 and col. 4 lines 47-63; fig. 3 and col. 4 lines 64- 67 and col. 5 lines 1-17).

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Regarding claims 5, 12 and 21, O'Neil further teaches that configuring the sub-packets in the output packet so that upon receipt of the output packet by a participant, the participant examines the packets and outputs a first examined sub-packet which does not include an indication that the sub-packet includes content received from the participant (col. 5 lines 18-34).

Regarding claims 8, 16 and 24, O'Neil further teaches that the method further comprising transmitting the output packet to at least a portion of the number of participants in the conferencing session utilizing a multicast IP address (the multicast streams in figs 2 and 3) .

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-3, 10-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over by O'Neil et al. (U.S. Patent No. 5,963,547) in view of Kim et al. (U.S. Patent No. 5,936,662).

Regarding claims 2-3, 10-11 and 18-19, O'Neil teaches that the endpoints select the loudest conference endpoints as the principal broadcaster. O'Neil differs from the claimed invention in that O'Neil does not specifically teaches that determining a number of prominent inputs from the received inputs, the determined prominent inputs utilized to provide the first payload for the first sub-packet and the second payload for the second sub-packet. However, Kim teaches that the Conference Control System determines a number of prominent inputs from the received inputs, the determined prominent inputs utilized to provide the first payload for the first sub-packet and the second payload for the second sub-packet. (col. 2 lines 44-60). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include determining a number of prominent inputs from the received inputs, the determined prominent inputs utilized to provide the first payload for the first sub-packet and the second payload for the second sub-packet, as taught by Kim in the assembly of O'Neil in order to reduce the noise level.

3. Claims 6-7, 13-14 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over by O'Neil et al. (U.S. Patent No. 5,963,547) in view of Falco et al. (U.S. Patent No. 6,687,752 B1).

Regarding claims 6, 13 and 22, O'Neil differs from the claimed invention in that O'Neil does not specifically teaches that the output packet is configured as a UDP packet which encapsulates the first sub-packet and the second sub-packet, the first

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sub-packet and the second sub-packet configured as RTP packets. However, O'Neil teaches that the MCU has the Ethernet LAN interface (140 in fig. 4). And Falco teaches that the Ethernet frames using UDP packets that encapsulates the RTP packets (fig. 1 and col. 1 lines 30-50). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to configure the output packet as a UDP packet which encapsulates the first sub-packet and the second sub-packet, the first sub-packet and the second sub-packet configured as RTP packets, as taught by Falco in the assembly of O'Neil in order to specifying the timing of the voice and video data.

Regarding claims 7, 14 and 23, O'Neil differs from the claimed invention in that O'Neil does not specifically teaches that the first sub-packet and the second sub-packet include headers indicating originating participants of the first payload and the second payload. However, Falco teaches that the RTP packet has a header that identifies the contributing-source (fig. 2). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to let the first sub-packet and the second sub-packet include headers indicating originating participants of the first payload and the second payload, as taught by Falco in the assembly of O'Neil in order to identify the contributing source.

Allowable Subject Matter

4. Claims 4 and 20 would be allowable if rewritten to include all of the limitations of the base claims and any intervening claims.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lina Yang whose telephone number is (571)272-3151. The examiner can normally be reached Monday through Thursday between 8:00 a.m. and 7:00 p.m. eastern standard time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LY


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